

BILL NO. 87-1

AS AMENDED

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 87-1 (AS AMENDED)

Council President Hardwicke and Council Members Risacher,  
Introduced by Parrott, Schafer, Hooper, Fielder, and Hatem

Legislative Day No. 87-3 Date January 20, 1987

AN EMERGENCY ACT to recodify the Laws of Harford County, Maryland, as contained in and referenced in the 1978 edition, of the Harford County Code, having been amended from time to time by incorporating the recodification of these Laws into a new Harford County Code, 1986 edition, and to designate and adopt the new 1986 Code by incorporation through the adoption of new Article 1, heading, Adoption of Code, of new Chapter 1, heading, General Provisions, of the 1986 Code along with all chapters, articles and sections therein and made a part thereof of the 1986 Code as though it were fully stated herein.

By the Council, January 20, 1987

Introduced, read first time, ordered posted and public hearing scheduled

on: February 17, 1987

at: 6:30 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was

held on February 17, 1987

and concluded on February 17, 1987

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 87-1

AS AMENDED

1 Section 1. Be It Enacted By The County Council Of Harford  
2 County, Maryland, that the laws of Harford County, Maryland  
3 as contained in and referenced in the 1978 edition, of the  
4 Harford County Code, as amended, be, and are hereby  
5 recodified into the new 1986 edition, of the Harford County  
6 Code, and that the new 1986 Harford County Code, be, and it  
7 is hereby adopted, as the 1986 Harford County Code, as  
8 herein referenced in new Article I, heading, Adoption of  
9 Code, of new Chapter 1, heading, General Provisions, which  
10 shall be, and it is hereby adopted, along with all  
11 chapters, articles, and sections therein, of the new, 1986  
12 Harford County Code as though it were fully stated herein,  
13 all to read as follows: CHAPTER 1. GENERAL PROVISIONS.  
14 ARTICLE I. ADOPTION OF CODE.  
15 SECTION 1-1. ADOPTION OF CODE; CITATION.

16 THE PROVISIONS EMBRACED IN THIS AND THE FOLLOWING  
17 CHAPTERS, ARTICLES AND SECTIONS SHALL CONSTITUTE AND BE  
18 DESIGNATED AS "HARFORD COUNTY CODE, 1986," AND MAY BE SO  
19 CITED. THE CODE MAY ALSO BE CITED AS THE "COUNTY CODE" OR  
20 IN THE PROVISIONS WHICH FOLLOWS, AS "THIS CODE."

21 SECTION 1-2. AUTHORITY AND EFFECT OF CODE.

22 A. AUTHORITY OF CODE. THIS CODE IS A RECODIFICATION  
23 OF THE LAWS OF THE COUNTY AS CONTAINED IN THE 1978 EDITION  
24 OF THE HARFORD COUNTY CODE AS HAVING BEEN AMENDED FROM TIME  
25 TO TIME AND WHICH HAVE BEEN ENACTED PUBLISHED IN ACCORDANCE  
26 WITH THE AUTHORITY GRANTED IN SECTION 222 OF THE CHARTER.

27 B. EFFECT OF CODE.

28 (1) ANY CODE OR SUPPLEMENT WHICH IS CODIFIED AND  
29 PUBLISHED UNDER THE DIRECTION OF THE COUNTY COUNCIL IS  
30 LEGALIZED. IT SHALL BE DEEMED AND TAKEN IN ALL THE COURTS  
31 OF THE STATE, AND BY ALL PUBLIC OFFICIALS OF THE STATE AND  
32 OF ITS SEVERAL POLITICAL SUBDIVISIONS, TO BE EVIDENCE OF THE

1 LAWS, RESOLUTIONS, RULES AND REGULATIONS OF THE COUNTY  
2 HAVING GENERAL LEGISLATIVE EFFECT AS OF THE TIME OF  
3 PUBLICATION.

4 (2) CONFLICTING PROVISIONS.

5 (a) IF THE PROVISIONS OF DIFFERENT CHAPTERS,  
6 ARTICLES OR SECTIONS OF THIS CODE CONFLICT WITH OR  
7 CONTRAVENE EACH OTHER, THE PROVISIONS OF EACH CHAPTER,  
8 ARTICLE OR SECTION SHALL PREVAIL AS TO ALL MATTERS AND  
9 QUESTIONS GROWING OUT OF THE SUBJECT MATTER OF THAT CHAPTER,  
10 ARTICLE OR SECTION.

11 (b) IF CLEARLY CONFLICTING PROVISIONS ARE  
12 FOUND IN DIFFERENT SECTIONS OF THE SAME CHAPTER, THE  
13 PROVISIONS OF THE SECTION LAST ENACTED SHALL PREVAIL, UNLESS  
14 THE CONSTRUCTION IS INCONSISTENT WITH THE MEANING OF THAT  
15 CHAPTER.

16 (3) REFERENCES TO CODE.

17 (a) ANY REFERENCE IN THIS CODE TO A LAW OR  
18 PROVISION OF THIS CODE SHALL MEAN SUCH LAW OR PROVISION AS  
19 MAY NOW EXIST OR AS HEREAFTER AMENDED.

20 (b) ANY REFERENCE IN THIS CODE TO CHAPTERS,  
21 ARTICLES OR SECTIONS SHALL BE TO THE CHAPTERS, ARTICLES AND  
22 SECTIONS OF THIS CODE UNLESS OTHERWISE SPECIFIED.

23 (c) WITH REFERENCE TO ANY AMENDMENT OF ANY  
24 SECTION OF THIS CODE CONTAINING PROVISIONS FOR WHICH A  
25 PENALTY IS PROVIDED IN ANOTHER SECTION, THE PENALTY SO  
26 PROVIDED IN SUCH OTHER SECTION SHALL BE HELD TO RELATE TO  
27 THE SECTION SO AMENDED OR THE AMENDING SECTION, WHETHER RE-  
28 ENACTED IN THE AMENDATORY LAW OR NOT, UNLESS SUCH PENALTY IS  
29 SPECIFICALLY REPEALED THEREIN.

30 SECTION 1-3. EFFECT ON EXISTING LEGISLATION.

31 A. CONTINUATION OF EXISTING LAWS. THE PROVISIONS  
32 APPEARING IN THIS CODE, SO FAR AS THEY ARE SUBSTANTIALLY THE

1 SAME AS THOSE OF THE LOCAL LAWS, ORDINANCES, RESOLUTIONS,  
2 RULES AND REGULATIONS EXISTING AT THE TIME OF THE ADOPTION  
3 OF THIS CODE, SHALL BE CONSTRUED AS A CONTINUATION THEREOF  
4 AND NOT AS NEW ENACTMENTS.

5 SECTION 1-4. COPY OF CODE ON FILE. A COPY OF THE CODE,  
6 AND ANY SUPPLEMENT THEREOF SHALL BE FILED IN THE OFFICE OF  
7 THE CLERK OF THE CIRCUIT COURT FOR HARFORD COUNTY AND UPON  
8 ADOPTION SHALL BE RECORDED BY THE CLERK.

9 SECTION 1-5. AMENDMENTS TO CODE; SUPPLEMENTATION.

10 A. AMENDMENTS. ANY AND ALL ADDITIONS, AMENDMENTS OR  
11 SUPPLEMENTS TO THE CODE, WHEN PASSED AND ADOPTED IN SUCH  
12 FORM AS TO INDICATE THE INTENT OF THE GOVERNING BODY TO MAKE  
13 THEM A PART THEREOF, SHALL BE DEEMED TO BE INCORPORATED INTO  
14 SUCH CODE SO THAT REFERENCE TO THE "HARFORD COUNTY CODE,  
15 1986" SHALL BE UNDERSTOOD AND INTENDED TO INCLUDE SUCH  
16 ADDITIONS AND AMENDMENTS. WHENEVER SUCH ADDITIONS,  
17 AMENDMENTS OR SUPPLEMENTS TO THE CODE SHALL BE ADOPTED, THEY  
18 SHALL THEREAFTER BE PRINTED AND, AS PROVIDED HEREUNDER,  
19 INSERTED IN THE LOOSE-LEAF BOOK CONTAINING THE SAID CODE, AS  
20 AMENDMENTS AND SUPPLEMENTS THERETO.

21 B. CODE BOOK TO BE KEPT UP-TO-DATE. THE SECRETARY OF  
22 THE COUNTY COUNCIL SHALL KEEP AN UP-TO-DATE COPY OF THE CODE  
23 IN THE OFFICE OF THE COUNTY COUNCIL. ALL CHANGES IN SAID  
24 CODE AND ALL LEGISLATION ADOPTED SUBSEQUENT TO THE EFFECTIVE  
25 DATE OF THIS CODIFICATION, WHICH SHALL BE ADOPTED  
26 SPECIFICALLY AS PART OF THE CODE, SHALL, WHEN FINALLY  
27 ADOPTED, BE INCLUDED THEREIN BY REFERENCE UNTIL SUCH CHANGES  
28 OR NEW LEGISLATION IS PRINTED AS SUPPLEMENTS TO SAID CODE  
29 BOOK, AT WHICH TIME SUCH SUPPLEMENTS SHALL BE INSERTED  
30 THEREIN.

31 C. SALE OF CODE BOOK. COPIES OF THE CODE OR ANY  
32 SUPPLEMENT THEREOF MAY BE PURCHASED FROM THE OFFICE OF THE

1       TREASURER UPON THE PAYMENT OF A FEE TO BE SET BY THE COUNTY  
2       COUNCIL.

3           D.    ALTERING OR TAMPERING WITH CODE. IT SHALL BE  
4       UNLAWFUL FOR ANYONE TO IMPROPERLY CHANGE OR AMEND, BY  
5       ADDITIONS OR DELETIONS, ANY PART OR PORTION OF THE CODE, OR  
6       TO ALTER OR TAMPER WITH SUCH CODE IN ANY MANNER WHATSOEVER  
7       WHICH WILL CAUSE THE LAW OF HARFORD COUNTY TO BE  
8       MISREPRESENTED THEREBY. ANYONE VIOLATING THIS SECTION OF  
9       THIS BILL SHALL BE SUBJECT, UPON CONVICTION, TO A FINE OF  
10      NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR IMPRISONMENT  
11      FOR NOT MORE THAN SIX (6) MONTHS, IN THE DISCRETION OF THE  
12      JUDGE IMPOSING SAME.

13      SECTION 1-6. SEVERABILITY.

14           A.   SEVERABILITY OF CODE PROVISIONS. EACH SECTION OF  
15      THE CODE AND EVERY PART OF EACH SECTION IS AN INDEPENDENT  
16      SECTION OR PART OF A SECTION, AND THE HOLDING OF ANY SECTION  
17      OR A PART THEREOF TO BE UNCONSTITUTIONAL, VOID OR  
18      INEFFECTIVE FOR ANY CAUSE SHALL NOT BE DEEMED TO AFFECT THE  
19      VALIDITY OR CONSTITUTIONALITY OF ANY OTHER SECTION OR PARTS  
20      THEREOF.

21      SECTION 1-7. LEGISLATION SAVED FROM REPEAL.

22           THE ADOPTION OF THIS CODE SHALL NOT AFFECT THE  
23      FOLLOWING LEGISLATION, RIGHTS AND OBLIGATIONS WHICH ARE  
24      HEREBY EXPRESSLY SAVED FROM REPEAL:

25           A.   ANY ACT OR ORDINANCE ADOPTED SUBSEQUENT TO JUNE  
26      30, 1986.

27           B.   ANY RIGHT OR LIABILITY ESTABLISHED, ACCRUED OR  
28      INCURRED UNDER ANY LEGISLATIVE PROVISION PRIOR TO THE  
29      EFFECTIVE DATE OF THIS BILL OR ANY ACTION OR PROCEEDING  
30      BROUGHT FOR THE ENFORCEMENT OF SUCH RIGHT OR LIABILITY.

31           C.   ANY OFFENSE OR ACT COMMITTED OR DONE BEFORE THE  
32      EFFECTIVE DATE OF THIS BILL IN VIOLATION OF ANY LEGISLATIVE

1 PROVISION OR ANY PENALTY, PUNISHMENT OR FORFEITURE WHICH MAY  
2 RESULT THEREFROM.

3 D. ANY PROSECUTION, INDICTMENT, ACTION SUIT OR OTHER  
4 PROCEEDING PENDING OR ANY JUDGMENT RENDERED, PRIOR TO THE  
5 EFFECTIVE DATE OF THIS BILL, BROUGHT PURSUANT TO ANY  
6 LEGISLATIVE PROVISION.

7 E. ANY FRANCHISE, LICENSE, RIGHT, EASEMENT OR  
8 PRIVILEGE HERETOFORE GRANTED OR CONFERRED.

9 F. ANY BILL PROVIDING FOR THE LAYING OUT, OPENING,  
10 ALTERING, WIDENING, RELOCATING, STRAIGHTENING, ESTABLISHING  
11 OF GRADE, CHANGING OF NAME, IMPROVEMENT, ACCEPTANCE OR  
12 VACATION OF ANY RIGHT-OF-WAY, EASEMENT, STREET, ROAD,  
13 HIGHWAY, PARK OR OTHER PUBLIC PLACE, OR ANY PORTION THEREOF.

14 G. ANY BILL APPROPRIATING MONEY OR TRANSFERRING  
15 FUNDS, PROMISING OR GUARANTEEING THE PAYMENT OF MONEY OR  
16 AUTHORIZING THE ISSUANCE AND DELIVERY OF ANY BOND OR OTHER  
17 INSTRUMENTS OR EVIDENCE OF THE COUNTY'S INDEBTEDNESS.

18 H. BILLS AUTHORIZING THE PURCHASE, SALE, LEASE OR  
19 TRANSFER OF PROPERTY OR ANY LAWFUL CONTRACT OR OBLIGATION.

20 I. THE LEVY OR IMPOSITION OF TAXES, ASSESSMENTS OR  
21 CHARGES.

22 J. THE DEDICATION OF PROPERTY OR APPROVAL OF  
23 PRELIMINARY OR FINAL SUBDIVISION PLATS.

24 K. BILLS ESTABLISHING THE AMOUNT AND MANNER OF  
25 PAYMENT OF SALARIES OR COMPENSATION OF OFFICERS AND  
26 EMPLOYEES, ESTABLISHING WORKDAYS AND WORKING HOURS OF  
27 CERTAIN EMPLOYEES AND PROVIDING FOR HOLIDAYS AND VACATIONS  
28 FOR EMPLOYEES AND KEEPING OF EMPLOYMENT RECORDS.

29 L. ALL RESOLUTIONS.

30 M. ANY BILL MAKING ANY CHANGE OR REVISION IN THE  
31 ZONING MAP.

32 SECTION 1-8. CHANGES IN PREVIOUSLY ADOPTED LEGISLATION.

1 A. IN COMPILING AND PREPARING THE BILLS FOR ADOPTION  
2 AND REVISION AS PART OF THE CODE, CERTAIN GRAMMATICAL  
3 CHANGES AND OTHER MINOR CHANGES WERE MADE IN ONE (1) OR MORE  
4 OF SAID BILLS. IT IS THE INTENTION OF THE COUNTY COUNCIL  
5 THAT ALL SUCH CHANGES BE ADOPTED AS PART OF THE CODE AS IF  
6 THE LEGISLATION SO CHANGED HAD BEEN PREVIOUSLY FORMALLY  
7 AMENDED TO READ AS SUCH.

8 B. IN COMPILING AND PREPARING THE BILLS FOR ADOPTION  
9 AND REVISION AS PART OF THE CODE, TERMS SUCH AS "BILL" WERE  
10 CHANGED TO "SECTION," "ARTICLE" OR "CHAPTER" THROUGHOUT THE  
11 CODE SO AS TO ACCURATELY REFLECT THE NEW BREAKDOWN IN THAT  
12 CODE. IT IS THE INTENTION OF THE COUNTY COUNCIL THAT ALL  
13 SUCH CHANGES BE ADOPTED AS PART OF THE CODE AS IF THE  
14 LEGISLATION HAD BEEN PREVIOUSLY FORMALLY AMENDED TO READ AS  
15 SUCH.

16 C. ALL DESIGNATIONS AND HEADINGS OF CHAPTERS,  
17 ARTICLES AND SECTIONS ARE INTENDED ONLY FOR CONVENIENCE IN  
18 ARRANGEMENT AND AS MERE CATCHWORDS TO INDICATE THE CONTENTS  
19 OF SUCH CHAPTERS, ARTICLES OR SECTIONS. THEY SHALL NOT BE  
20 DEEMED OR TAKEN TO BE ANY PART OR TITLE OF SUCH CHAPTERS,  
21 ARTICLES OR SECTIONS; NOR, UNLESS EXPRESSLY SO PROVIDED,  
22 SHALL THEY BE SO DEEMED UPON AMENDMENT OR REENACTMENT; NOR  
23 SHALL THEY BE CONSTRUED TO GOVERN, LIMIT, MODIFY, ALTER OR  
24 IN ANY OTHER MANNER AFFECT THE SCOPE, MEANING OR INTENT OF  
25 ANY OF THE PROVISION OF THIS CODE.

26 D. RENUMBERING.

27 (1) IN COMPILING AND PREPARING THE BILLS FOR  
28 ADOPTION AND REVISION AS PART OF THE CODE, A NEW NUMBERING  
29 SYSTEM WAS USED. THIS NEW NUMBERING SYSTEM REQUIRED THAT  
30 THE REFERENCES TO THE ORIGINAL OF THE LEGISLATION BE CHANGED  
31 TO REFLECT THE NEW NUMBERING SYSTEM. IT IS THE INTENTION OF  
32 THE COUNTY COUNCIL THAT ALL SUCH CHANGES BE ADOPTED AS PART

1 OF THE CODE AS IF THE LEGISLATION HAD BEEN PREVIOUSLY  
2 FORMALLY AMENDED TO READ AS SUCH.

3 (2) IN READING A SECTION NUMBER FROM LEFT TO  
4 RIGHT, THE DIGITS TO THE LEFT OF THE HYPHEN DESIGNATE THE  
5 CHAPTER NUMBER. THE DIGITS TO THE RIGHT OF THE HYPHEN  
6 DESIGNATE THE SECTION NUMBER WITHIN THE CHAPTER. NUMERALS  
7 OR LETTERS TO THE RIGHT OF A DECIMAL POINT INDICATE NEW  
8 SECTIONS INSERTED BETWEEN EXISTING CHAPTERS OR SECTIONS.  
9 THE DECIMAL SYSTEM SHALL BE USED TO MAINTAIN THE NUMERICAL  
10 ORDER OF THIS CODE.

11 Section 2. AND BE IT FURTHER ENACTED that this Bill and the  
12 Code shall supersede all other permanent Bills enacted prior  
13 to the enactment of this Code, except such Bills as are  
14 hereinafter expressly saved from repeal or continued in  
15 force.

16 Section 3. AND BE IT FURTHER ENACTED that all provisions of  
17 this Bill and the Code shall be in full force and effect  
18 after adoption and publication as required by law.

19 Section 4. AND BE IT FURTHER ENACTED that the enactment of  
20 this Bill in accordance with law coupled with the  
21 availability of a copy of the Code being maintained in the  
22 Office of the County Council for inspection by the public,  
23 shall be deemed, held and considered to be due and legal  
24 publication of all provisions of the Code for all purposes.

25 Section 5. SEVERABILITY.

26 Each section of this Bill is an independent section,  
27 and the holding of any section or part thereof to be  
28 unconstitutional, void or ineffective for any cause shall  
29 not be deemed to affect the validity or constitutionality of  
30 any other section, sections or parts thereof.  
31  
32

1 ~~Section 6. -- AND BE IT FURTHER ENACTED -- that this Act shall~~  
2 ~~take effect sixty -- (60) -- calendar days -- from the date it~~  
3 ~~becomes law.~~  
4

5 SECTION 6. AND BE IT FURTHER ENACTED THAT THIS ACT IS  
6 HEREBY DECLARED TO BE AN EMERGENCY ACT NECESSARY FOR THE  
7 IMMEDIATE DISTRIBUTION AND SALE OF THE CODE IN FURTHERING  
8 THE LAWS OF HARFORD COUNTY AND SHALL TAKE EFFECT ON THE DATE  
9 IT BECOMES LAW.  
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11 EFFECTIVE: February 18, 1987  
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87-1

BY THE COUNCIL

AS AMENDED

BILL NO. 87-1 (as amended)

Read the third time.

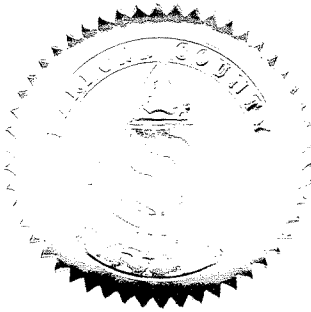
Passed LSD 87-6 (February 17, 1987) (with amendments)

Failed of Passage \_\_\_\_\_

By order

Doris Paulsen, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 18th day of February, 1987  
at 3:00 o'clock p.M.



Doris Paulsen, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]  
County Executive  
Date 2-18-87

BY THE COUNCIL

This Bill (No. 87-1, as amended), having been approved by  
the Executive and returned to the Council, becomes law on  
February 18, 1987.

Doris Paulsen, Secretary

EFFECTIVE DATE: February 18, 1987

87-1

AS AMENDED